

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO. 23322 OF 2006

Between :

B.Venkateswara Rao,
Near Post Office, Krishna Lanka,
Vijayawada.

... Petitioner

Between :

Government of Andhra Pradesh,
Department of Mines & Geology,
Hyderabad, rep. by its Principal Secretary and others

... Respondents

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ORAL ORDER :

The writ petition is premature and based on an apprehension that the respondents 1 to 5 would execute a lease in favour of the 6th respondent for quarrying of sand, a minor mineral, without following the substantive and procedural discipline mandated by the appropriate provisions of the AP Minor Mineral Concession Rules 1966. The petitioner neither pleads, asserts nor establishes before this court that the respondents have executed a lease in favour of the 6th respondent. There is nothing pleaded in the writ petition on the basis of which the petitioner can be said to have formed an objective opinion or a legitimate inference that the official respondents would grant a

lease in favour of the 6th respondent.

For the above reasons the apprehension of the petitioner is purely speculative at this stage and the grievance in this writ petition, moot. There are no merits in the writ petition. The writ petition is accordingly dismissed at the stage of admission.

As and when a lease is granted in favour of the 6th respondent and the petitioner on examination of the lease is satisfied as to its invalidity for any reason, the petitioner is always at liberty to pursue appropriate remedies against such Executive action of granting lease in favour of the 6th respondent.

No order as to costs.

Dt: 10.11.2006
PVS
Raghuram

Justice G.